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Attorney Docket No.: 02-104720US
Client Reference No.: 0127.002

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS FOR MODULATING CELLULAR AND ORGANISMAL PHENOTYPES** the specification of which is attached hereto or X was filed on March 23, 2001 as Application No. 09/817,015, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

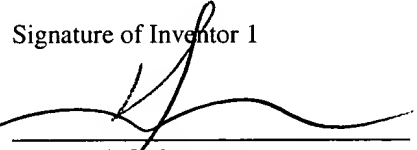
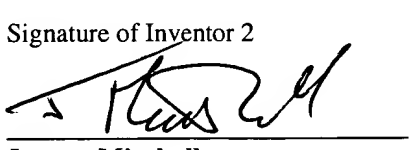
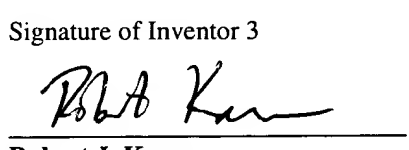
Application No.	Filing Date
60/191,782	March 24, 2000
60/262,617	January 17, 2001

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Full Name: Willem P.C. Stemmer		
Residence & Citizenship:	City: Los Gatos	State/Foreign Country: California	Country of Citizenship: The Netherlands
Post Office Address:	Post Office Address: 108 Kathy Court, Los Gatos, California 95030		
Full Name of Inventor 2:	Full Name: Jeremy Minshull		
Residence & Citizenship:	City: Menlo Park	State/Foreign Country: California	Country of Citizenship: The United States
Post Office Address:	Post Office Address: 842 Hermosa Way, Menlo Park, California 94025		
Full Name of Inventor 3:	Full Name: Robert J. Keenan		
Residence & Citizenship:	City: San Francisco	State/Foreign Country: California	Country of Citizenship: the United States
Post Office Address:	Post Office Address: 1227 Shrader Street, San Francisco, California 94117		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 	Signature of Inventor 2 	Signature of Inventor 3 
Willem P.C. Stemmer	Jeremy Minshull	Robert J. Keenan
Date 7/20/01	Date 18 June 2001	Date 6/18/11

declaration